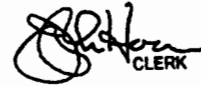


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

AUG 04 2015


CLERK

UNITED STATES OF AMERICA,

CR 14-50067

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

ROBERT CLYDE,

Defendant.

The undersigned parties stipulate that the following facts are true and establish a factual basis for the plea in the action pursuant to Federal Rules of Criminal Procedure 11(b)(3):

Starting on August 1, 2014, South Dakota ICAC and DCI, along with the Federal Bureau of Investigation (FBI) and other law enforcement agencies, set up a sex trafficking operation during the Sturgis Bike Rally. As a part of the operation, law enforcement agents put out multiple advertisements on several online websites. Language in the advertisement was used to indicate to a person familiar with such terminology that the advertisement was offering young girls for prostitution. Multiple men, including Robert Clyde, responded to the advertisement and negotiated with undercover agents, posing as a pimp, in order to negotiate the terms of engaging in sex with a 12, 13 or 15-year old girl.

Sixty five year-old Clyde responded to the law enforcement-posted advertisement online on August 8, 2014. During the chats on Craigslist and later via text message, he indicated he wanted to pay to have sex with a young girl. The undercover agent told Clyde that he had multiple girls available, and Clyde exchanged emails with the agent acknowledging how young the girls were, repeating which sexual acts they would and would not engage in, asking about their breast development, and asking if they were "hwp" (which means "height/weight proportional") or "chubs."

Ultimately, Clyde chose the 15-year old girl, and agreed to pay \$300 to engage in unprotected oral, vagina, and anal sex with her for one hour. Clyde agreed he would meet the pimp/undercover agent prior to meeting the 15-year old girl to engage in oral sex. He agreed to meet the pimp/undercover agent in the evening of August 8, 2014, at a public location in Sturgis, South Dakota.

An undercover agent acting as the pimp went to the agreed upon location and met with Clyde. Clyde arrived on a 2012 Harley Davidson Ultra-Classic ElectraGlide Motorcycle which was later seized by law enforcement. Clyde is the sole owner of this Harley Davidson motorcycle.

At the meeting, Clyde admitted to the pimp/undercover agent that he was there to pay for and engage in unprotected sex with the 15 year-old female and indicated he had the \$300 payment for sex. Clyde was then arrested by law enforcement and taken to the Meade County jail on state charges. At the

time of arrest, Clyde had in his possession U.S. currency sufficient to cover the \$300 cost of commercial sex, two computers, and a cellular phone.

Clyde was interviewed post-arrest and fully admitted he was the one who negotiated to have unprotected sex with a 15 year-old female for \$300, knowing she was a minor.

Craigslist.com is an internet website for online classified advertisements. Individuals utilize computers and other internet capable electronic devices to place advertisements on Craigslist.com to sell goods and services on the internet. An internet user who is interested in a good or service advertised on Craigslist.com then utilizes the internet to communicate with the provider of the good or service and they enter into negotiations. Craigslist.com is a California-based corporation with servers located outside of the state of South Dakota, and can only be access utilizing the internet, all of which was in and affecting interstate commerce.

8/4/15

Date

RANDOLPH J. SEILER
Acting United States Attorney

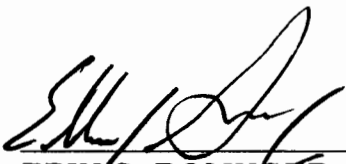
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7/29/2015
Date



ROBERT CLYDE
Defendant

8.4.15
Date



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Attorney for Defendant

Ellery Grey
Attorney for Mr. Clyde,
Defendant